

THE MEN BEHIND FRENCH JUSTICE:

MAGISTRATES OF THE PARLE-  
MENT OF PARIS (16th and  
17th Centuries)

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In its long and glorious history, the Parlement of Paris was constantly redefining its judicial powers, its proper relationship with the monarchy, and the character of its membership. Changes such as these were of an evolutionary sort occurring over long stretches of time as adaptations to political circumstances and not as repercussions of a single, noteworthy event. Subtle as they were, these adaptations had, over the course of several decades, a cumulative impact on Parlement's judicial and non-judicial activities. As is often the case in the quest for historical answers, the search begins in an earlier era when the movements were only starting to germinate. Thus to understand better the behavior and temper of the Parlement of Paris and of its magistrates in the seventeenth century, one must look back to the sixteenth century for roots. In following this line of reasoning, the intent of the present article is to identify the burgeoning forces of change originating in the sixteenth century and to track them through developmental stages in order to show their full impact on the administrative and legal history of France in the seventeenth century.

It is more than mere happenstance that the Parlement of Paris in the sixteenth century increasingly carried more weight, if not so much in political influence than at least in sheer volume. The size of the judicial institution increased dramatically. At the start of the sixteenth century, the Parlement of Paris was composed of a First President, 4 Presidents à mortier, 2 Presidents of Inquests, 1 President of Requests, approximately 15 councilors in each of the two courts of Inquests, and 5 councilors in the court of Requests.<sup>1</sup> By the end of the same century office creations enlarged the membership to include: 1 First President, 7 Presidents à mortier, 2 Presidents for each of the five chambers of Inquests, 4 Presidents in Requests, about 33 councilors on every court of Inquest, and 12 councilors in Requests. Within the space of a century, membership jumped from about 43 magistrates to something slightly over 200, almost a fivefold increase. Responsibility for this change rests with the monarchs, who, as a result of financial pressures, created a large number of new offices in the Parlement



of Paris and sold them to the highest bidder. Enormous profits accrued to the French sovereigns, yet they were also left with an institution inflated in size and staffed by a number of parvenu magistrates with recent links with the bourgeoisie.

More important than just the numbers, the Parlement of Paris gradually changed from a small, closed knit body of serious jurists into a large unwieldy institution with a greater assortment of personnel of varied quality. In the process of expansion, Parlement lost its intimacy and some of its effectiveness through dilution as the newer magistrates coming to the courts were differing in values, social status, and attitudes towards the king and law. Signs of declining intellectual vigor among jurists are also apparent as the flow of noted political theorists, historians, and men of original thought from the ranks of the magistrates in the sixteenth century slows to a trickle in the seventeenth century.<sup>2</sup> As will be shown, the infusion of new blood did not necessarily produce healthy results for the Parlement of Paris.

A look into the family histories of sixteenth and seventeenth century magistrates demonstrates that office creations and venality produced a fast track allowing men from humble origins to make rapid strides up the royal administrative ladder.<sup>3</sup> Without question the greatest opportunity for acquiring a parlementaire office occurred between 1554 and 1581 when the membership roll jumped from 87 to around 188, an increase of a hundred offices within one generation.<sup>4</sup> Even in a later period (1590-1650), the genealogies of new officeholders from families that had never before served in the Parlement indicates the judicial institution had not fully digested the swarm of freshly minted magistrates from the sixteenth century. Table 1 provides information on the highest known positions attained by the grandfathers of first-generation councilors who purchased their office during this sixty-year span. By far the largest group came from bourgeois occupations (40.8%). This figure represents the bare minimum because of the strict criteria used in interpreting data. A more realistic number would be in the range of 50% because in the majority of unknown cases the family genealogy begins with the person who first bought an ennobling office.<sup>5</sup> One can reasonably



assume that if the career of the grandfather is omitted from all consideration it is very likely that he had a bourgeois background. The remainder of the councilors' grandfathers came from the ranks of avocats (7.6%), judicial and administrative officials located outside of Paris (13.6%), the financial courts of Accounts and Aides (6%), and from positions in the households of the king and queen (9.2%). In essence, the monarchy's tinkering with the venal system brought it close to the point of saturation and in the process depressed the price of parlementaire offices, created a buyers' market, and provided abundant chances for social and political mobility for persons of bourgeois stock.<sup>6</sup>

Extensive use--many observers preferred to call it an abuse--of venality in the sixteenth century spawned the formation of a large octopus-like royal administration whose arms stretched out from Paris deep into the provinces and challenged the customary authority of landed nobility, municipalities, and clergy. The seventeenth century witnessed more of the same; when Louis XIV assumed personal control in 1661 he had at his disposal an administrative army of 45,780 royal officers drawing an annual salary from the Treasury.<sup>7</sup> With an estimated population of 20 million, it meant that France had one royal officer for every 437 inhabitants. Monarchs ran the risk of losing control over the monster they themselves had created, especially if neglect of administrative oversight on the part of the sovereign resulted in a petty-official-as-autocrat mentality. Such dangers were obvious to kings, regents, and leading ministers of state. The central theme of the administrative history of France in the seventeenth century revolves around efforts of centralization, streamlining, and extension of sovereign power undertaken by the monarchy.

Like all other components of the royal administration, the Parlement of Paris was caught up in the internal restructuring of the state, a process that has been referred to as a "governmental revolution."<sup>8</sup> The transformation of the monarchy from its shattered condition after the Wars of Religion to its unrivaled glory under Louis XIV was accompanied by intense social and political unrest, significant shifts in the distribution of power, and considerable bloodshed.<sup>9</sup> It is not surprising therefore that kings encountered strong resistance from institutions, peasants, and all those who benefitted from the continuation of the old ways. The Parlement of Paris played a leading role in opposition as it saw itself



generally as the protector of the public good and legal tradition. In a more specific area related to its self-interest, the institution was being pressured to surrender all pretensions to being a political voice in government, a right which the magistrates considered as rooted in legal custom and fundamental to their prestige.

During this period of change, relations between the Parlement of Paris and the monarchy blew hot and cold according to specific issues. On the one hand, the judicial institution championed policies of a strong monarchy. For example, at the Estates General of 1614-15 the magistrates enthusiastically backed the controversial first article contained in the cahier of the Third Estate which declared that the king was supreme and free from any papal subordination within France.<sup>10</sup> After the assassination of Henry IV, at the start of Louis XIII's personal reign, and after his death in 1643, the Parlement of Paris played an instrumental role in shoring up the position of the monarchy and prevented any diminution of its authority.<sup>11</sup> Judges faithfully sided with their sovereign in his policies towards rebellious Princes and renegade members of the sword nobility. On the other side of the coin, magistrates oftentimes stood at direct odds with the monarchy over issues that are well known and documented.<sup>12</sup> Qualities of steadfastness and flexibility existed side by side. Much of this political ambivalence is due to the fact that the judges in general were willing partners in the creation of an absolute state just as long as the monarchy did not use its powers to curtail the actions of the Parlement. Stated in another way and with a light touch of casuistry, "...[parlementaire] opposition to royal absolutism was justified in terms of an overriding loyalty to the monarchy and responsibility to the French people."<sup>13</sup> Nevertheless instances of wavering were also symptoms of deeper, more silent changes occurring within the membership of the Paris Parlement.

The monarchy and the Parlement of Paris operated on a variety of levels, which added complexity and even a paradoxical element to their relationship. As the French monarchy proceeded to centralize its power and control over the royal administration in the late sixteenth and seventeenth centuries, more than ever it needed the services of the magistrates to effect change. Even the most dynamic and ambitious of rulers could not bring about sweeping reforms without



the aid of a corps of capable lieutenants to see that the flow of orders and laws embossed with the royal seal were properly and promptly executed and did not end up as deadletters. Given the enormous size of the administration and the uneven quality of the officers, French monarchs depended heavily on the pool of talented judges in the Parlement of Paris whose primary responsibility as leading officers of state was to make sure that the wheels of the French bureaucracy moved forward with a minimum of creaking, halting motion, and worst of all, breakdowns in the chain of command. Historical hindsight permits us to conclude that kings and ministers like Cardinals Richelieu and Mazarin chose their lieutenants well because in the end absolutism triumphed. However the ironic twist is that while the monarchy selected a number of magistrates to head key offices in order to carry out the royal will, the position of the Parlement of Paris on policies of centralization was decidedly negative. The dichotomy existed because the self-interests of individual men differed from the collective self-interest of the judicial institution.

In addition to its defined legal responsibilities, the Parlement of Paris also served as an unofficial training school for royal administrators. Prior to the seventeenth century there had been a tradition of magistrates serving kings in non-legal capacities, but there was a noticeable upturn in the number of judges being drawn from the courts to fill appointive or commissioned offices in the high royal administration during the same time when efforts were under way to make France an absolute monarchy. Even though the magistrates spent their days deciding criminal and civil cases, there is nothing incongruous about their value to the monarchy as agents of royal will. Men serving on the courts were educated, industrious, and ambitious to the point where they were willing to give blind loyalty in return for higher status and prestige. Reforms instituted by Cardinal Richelieu of turning Intendants into instruments of the monarchy required the talents of versatile officers who were capable of handling judicial, financial, and administrative affairs. Few other groups within French society could offer the combination of both competency and loyalty as could be found among officers in the Parlement. Despite their carping for a return of



leading state offices that had fallen into the hands of men of undistinguished pedigree, members of the aristocracy, if they were at all literate, had been groomed from birth to be more concerned with the temper of their swords than with gaining a sophisticated understanding of the machinery of government.<sup>14</sup> Their loyalty to the king was also suspect. The clergy was a declining political force; although the Counter-Reformation recharged the spiritual batteries of countless Frenchmen, the movement had only a limited political impact. In secular terms, the French monarchy was founded and operated on principles of law. The royal administration was interconnected through a series of legal relationships. Declarations, edicts, and ordonnances were its heart and soul, and who understood these matters better than the judges on the highest court of the land?

The Parlement of Paris held a strategic place within the administration which made it well suited for its role as a seedbed for developing young royal officials. It stood near the top rung on the ladder of venal offices; the institution was fixed in Paris, the hub of French political life; and its large membership provided the monarchy with a pool of talent from which to tap. Since only a handful of offices were not venal, the Parlement served as a melting pot where the son of a rich merchant sat next to the Chancellor's son on the same court of Inquests, both possessing identical judicial powers. To borrow the conventionality of seventeenth-century writers who anthropomorphized matters for graphic purposes, the Paris Parlement represented the neck of the royal administration. Under it stood the main trunk of officialdom composed of high and lowly officers of limited status and importance. Above it were the eyes, ears, and mouthpiece of the king, the royal braintrust appointed by the sovereign to properly control the actions and responses of the rest of the body. In its position of a conduit, the Parlement accepted and mixed fresh blood from below and also operated as a staging area for those destined to go to the top. There existed only a few direct passages from the body to the head of the royal administration and the Parlement of Paris was the primary means of access.

The kings of France could take comfort in the fact that the educational level of the judges was generally high. Parlement insisted



On minimal intellectual standards for its members. In addition to needing enormous wealth, candidates had to have studied law at a university and face an entrance examination before the august Grand'Chambre. French legal education in the 16th century was known for its excellence but a number of notorious abuses became so pervasive in the 17th century that an under-motivated yet wealthy student could earn a diploma with very little earnest effort.<sup>15</sup> The entrance examination degenerated into a hollow formality instead of a true test of a candidate's knowledge of law. Only on rare occasions did the Grand'Chambre enforce standards. One such instance occurred in 1607 when Jacques Guillon was refused admittance for "extreme ignorance."<sup>16</sup> Contemporary pundits would have certainly claimed that "simple ignorance" was sufficient. Guillon, the son of a contrôleur général de l'artillerie, was accepted the following year (1608), became a Master of Requests in 1619, and eventually served as an intendant de justice de la généralité d'Orleans.<sup>17</sup> The case history of Jacques Guillon was reviewed to demonstrate that requirements were not so high that only the best joined the courts and that intellectual shortcomings or lack of proper preparation hindered magistrates from rising to progressively higher offices. But by the standards of the day, the magistrates were at least exposed to an academic environment until about the age of twenty years--high by comparison--and the Parlement demanded qualifications that were sufficient to prevent just anyone with a fist full of spare écus from joining the courts.<sup>18</sup>

As noted through the careers of leading state officers, the patterns of movement in the royal administration were already regularized during the late 16th and 17th centuries. Service in parlements, especially Paris, was an important first step for anyone with serious ambitions of acceding to higher posts. Young men fresh out of law school either became practicing lawyers before the Parlement for a few years before meeting the minimum age requirement of 25 years for councilors or else they paid the king a sum of money to waive this age stipulation in order to go directly to the courts after obtaining a diploma. The latter course became increasingly common in the 17th century. A consistent feature of those who became councilors is that they were all of the same



general age; between 1590 and 1650 their average age was 25 years 7 months.<sup>19</sup> Only a few individuals were over the age of 30 years. Over this same 60-year period, this was the first venal office for 73.7% of all councilors. Another 22.8% had previously purchased one venal office, the majority of whom had served in a provincial parlement simply marking time before reaching their 25th year. Only 3.6% held two or more offices prior to coming to the Paris Parlement.<sup>20</sup> Judging by the youth and inexperience of the new magistrates, offices in the Parlement were considered as entry level positions for a certain group of young officials. It never happened that men rose to the highest court in France after a long and distinguished career in the lower courts, the venal nature of the judicial system precluded any such possibilities.

Competition for key offices ranked above the Parlement was limited to a narrow circle of officers. In essence, persons without proper judicial experience were effectively barred from influential posts such as that of Master of Requests. In 1598, Henry IV issued letters patent setting a minimum age of 32 years, in addition to requiring six years of prior experience in a sovereign court, as a lieutenant général in the lower courts, or twelve years as a practicing lawyer.<sup>21</sup> Since lawyers and lieutenants généraux more often than not lacked the financial ability to purchase these expensive offices, in practical terms it meant that judges from sovereign courts achieved a near monopoly over these offices, with the Parlement of Paris leading the way. Of the 324 Master of Requests who purchased their offices between 1590 and 1650, the majority (51.9%) were former magistrates of the Paris Parlement, 24.4% came from the Grand Conseil, 13.3% were drawn from provincial parlements, 3.2% from the courts of Accounts and Aides, and only 7.2% came from other backgrounds.<sup>22</sup> Affinities with the Parlement do not end here. Those who could afford to purchase the position of Master of Requests did so either soon after they fulfilled six years of judicial service, attained 32 years, or else purchased another dispensation from the king. At the start of the 17th century, the average age of a new Master of Request was 35 years 4 months; fifty years later the age had dipped to 31 years 3 months.<sup>23</sup> As seen, the well worn path trod by officials on their way up to the leading



offices of state started with the purchase of an office in the Parlement of Paris while in their mid-twenties, remaining in this capacity for five to eight years, and then moving up to the post of Master of Request while they were in their mid-thirties. With their apprenticeship in the Parlement of Paris behind them, Masters of Requests still had many productive years of service ahead of them, situated as they were on the dividing line between venal and appointive office where opportunities for advancement were greatest.

Masters of Requests gained increased influence as the monarchy introduced reforms in order to acquire a firmer grip on the overgrown administration. Their evolution began in the 16th century, picked up considerable steam after the assassination of Henry IV in 1610, and blossomed under the ministries of Cardinals Richelieu and Mazarin.<sup>24</sup> Richelieu's decision to transform the Intendants into powerful royalist paladins armed with commissions to enforce directives coming from the top pushed the Masters of Requests into prominence. Since the overwhelming number of Intendants were drawn from within their ranks, Masters of Requests were the main benefactors of administrative reorganization. Their numbers increased, their powers became more pervasive, opportunities for advancement improved but at the same time greater pressures were placed on them to fit into a pro-royalist mold.<sup>25</sup> These profound changes affected the character but not the structure of government. Masters of Requests still remained the last link in the chain of venal judicial offices and the Intendants the starting point of appointive posts. However the institutionalization of the intendancies and the reforms favoring Masters of Requests inevitably had a rippling effect down to the level of the Parlement of Paris because of its secondary role as a training school and feeder institution for these higher offices. Among other things, the judicial institution and the higher officials grew further apart, especially on political issues during the first half of the 17th century.

Thus far attention has been focused on the careers of those who followed the course of starting in the Parlement of Paris, becoming a Master of Requests, and Intendant, and then higher officers of the administration. Progressively fewer individuals managed to reach each successive stage, but this upward track was



the most popular one followed. However this was the only way the Parlement of Paris provided the monarchy with able officials. A number of other magistrates were picked directly out of the Parlement by the king to serve in appointive offices. For example, it was not unusual for a clerical councilor to be nominated to a bishopric by the sovereign; between 1590 and 1650, 17 out of the 78 clerical officers actually received an episcopal see.<sup>26</sup> A number of lay judges left the judicial institution to go into ambassadorial service, the Maison du roi, and leading positions in the financial administration. First Presidents of provincial parlements oftentimes were appointed from the pool of judicial talent in Paris.<sup>27</sup> Considering as a whole the 618 councilors who acquired their office between 1590 and 1650, 62% of them remained affiliated with the Parlement of Paris throughout their career, 28% departed to become Masters of Requests, and another 10% resigned to assume higher offices either in the Church, a Royal Household, or in the administration itself. While a majority of magistrates were fixed in their parlementaire offices, a consideration worthy of notice is that a sizable minority--close to 40%--could be expected to graduate into more prestigious and important positions.

Given the Byzantine nature of French court life, advancement into non-venal offices was not simply a matter of talent winning out. Other considerations were responsible for career jumps. For instance, leading officers of state were well positioned to exercise influence in order to see that their sons, relatives, and clients obtained appointive offices. Nepotism was a socially acceptable practice founded on the contemporary notion of fidélité. It was common for kings to grant rewards to men who faithfully and unselfishly provided many years of superior service. One way they showed their appreciation was to promote their sons into non-venal offices once they had gained sufficient experience and maturity on the assumption that young siblings were a mirror image of their fathers. Such an arrangement operated on the principles that quality genetically begets quality and that favors were a natural occurrence within the lord-servant relationship. These practices resulted in family dynasties in certain offices. Careers began in the



Parlement of Paris but the groundwork had been provided for a rapid ascension in political offices. One of the most famous examples is the Nicolay family, who held the post of First President of the Court of Accounts from the 16th to the 18th century practically as a patrimonial inheritance. Jean Nicolay first served as a councilor in the Parlement of Paris from 12 April 1578 to 1582, purchased the post of Master of Requests (3 September 1582 until 1587) where he served before stepping into the position of Premier President after the death of his father, Antoine, in May of 1587. Similarly, Jean's son, Antoine, initially became a councilor in the Parlement of Bretagne for almost two years (1613-15), then a magistrate in the Parlement of Paris (10 April 1615) for 8 years before he replaced his late father in 1623.<sup>28</sup> These men sat on the courts of the Parlement, yet their political destinies were guided by paternal hands.

Fidélité figured prominently in the network of factions surrounding the king. Major Princes of the Blood, Queens, favorites, chief ministers among others had households roughly patterned after the king's own. Large numbers of magistrates from the Parlement of Paris could be found scattered among various staffs serving in an administrative or advisory role. Powerful patrons used their influence at court to promote their clients for non-venal offices, both as a reward to a faithful servant and also for the political benefits derived from having a partisan placed in high office.<sup>29</sup> While magistrates associated with a court faction could achieve rapid success in offices, they rarely established long-term family dynasties because they became the first casualties of sudden shifts in the direction of the political winds. When Louis XIII decided to assume control over France in fact as well as in name, he acted boldly in sweeping the Queen's favorite, the Marechal d'Ancre, and all his creatures from power. After the Day of Dupes in 1630, persons affiliated with the party of Marie de Medici, headed by Michel de Marillac, were removed and replaced by loyalists of Cardinal Richelieu.<sup>30</sup> In the denouement of the Cinq Mars affair, Francois August de Thou, a former councilor in the Parlement of Paris, a Master of Requests, and the Grand Maître de la Bibliothèque du Roi was beheaded for complicity in the plot against the monarchy.<sup>31</sup>



When Louis XIV imprisoned Nicolas Fouquet, another former magistrate, a number of persons associated with him were also disgraced. The high stakes of court politics attracted numerous magistrates. They entered into household service as a way of acquiring a highly placed patron who could aid them in obtaining appointive offices in exchange for rendering legal, administrative, and advisory services usually in conjunction with their parlementaire office.

Careers could be meteoric in their ascent, but the fall from grace could even be quicker. Patrons, whose support was instrumental in acquiring a non-venal office, became pariahs when the sovereign decided to shower his favors upon others. Magistrates attached to a faction were caught like pawns on a large chess board where the king removed at will officers who had outlived their usefulness. After falling out of favor it was difficult although not impossible to regain high standing. The stunning success of Cardinal Richelieu provides one such example. A more typical case is that of Claude Mangot, a magistrate who was affiliated with the same faction as Richelieu.<sup>32</sup> His political career began in 1588 when he purchased the office of councilor in the Parlement of Paris. Later he resigned to become a Master of Requests on 1 February 1600. He did not have a prestigious family background that preordained his accession to high office; his grandfather had been a municipal official in Loudun and his father a celebrated lawyer. Mangot cast his lot with the fast rising star of the Marechal d'Ancre and in return received several favors for his loyalty. The year 1616 was particularly noteworthy for Claude Mangot: on 30 January he was appointed First President of the Parlement of Bordeaux, on 9 August he was made Secretary of State, and the crowning jewel was his being named Keeper of the Seals on 26 November. However the bubble burst with the assassination of his patron in 1617. Mangot fell into oblivion. Unlike Richelieu, there was no recovery from political ostracism. None of Mangot's four sons ever acquired an appointive office. All four served as councilors in parlements--three in Paris and one in Bordeaux--and all four eventually purchased the post of Master of Requests, but these venal offices were the summits of their respective careers. Mangot's fate was normal for those who appeared suddenly on the political scene with strong backing and whose



fortunes rose and fell on situations and sets of relationships that they themselves could not control.

Patronage was a double-edged sword that retarded as well as advanced political careers. Claude Mangot's brief moment of glory shows how quickly honors accrued if a magistrate successfully anticipated shifts in the political climate. However not everyone belonged to the party in favor. Nicolas Le Jay, for example, was connected with the Prince de Conde, a leading court figure who had little influence over Louis XIII. Like many others, Le Jay started his career in the Parlement of Paris. His future appeared rosy after serving as procureur du roi in the Chatelet and, more importantly, as lieutenant civil of Paris, an office through which Henry IV used to exert his authority over the city.<sup>33</sup> Changes in the administration occurred in the wake of the death of the "Vert Gallant." Although Marie de Medici, the new regent, initially retained nearly all of her husband's key officers (the Duke of Sully being the main exception), she soon began building up her own party and rewarding favorites. Le Jay resigned as lieutenant civil and purchased the office of President à mortier in the Parlement of Paris on 18 January 1613.<sup>34</sup> He also strengthened his ties with Conde, who had already embarked on a policy of rebellion against the regency. As a direct result, Le Jay became a persona non grata around the court and there was little hope of him ever receiving a non-venal post as long as Marie de Medici held the reins of power.

The Queen-Regent did not underestimate Le Jay's value to Conde or his talents for intrigue. Before the court left for Bordeaux in August of 1615 for the purpose of finalizing the Franco-Spanish marriage, Marie de Medici requested the company of Le Jay on the progress as a way to neutralize his influence in Paris during her absence. After refusing more than once to accompany her on the grounds of poor health, the Queen-Regent ordered a detachment of troops to abduct him from his home and to keep him under house arrest at a specified location in the provinces. This act produced an immediate reaction from the Parlement which vehemently protested against the monarchy's utter disregard of legal forms since Le Jay was not accused of a crime.<sup>35</sup> Parlement even went



so far as to send a delegation of judges to protest in person to the Queen-Regent and the king against the arbitrary arrest of one of its leading officers.<sup>36</sup> All of these efforts were to no avail as Le Jay remained incarcerated until April of 1616.<sup>37</sup> In the period after his return, Le Jay's career was at a low point. Still he had enough savvy and political foresight to realize that his connection with Conde would remain a liability and managed to shift his allegiance to Cardinal Richelieu in the 1620's. The Cardinal picked him as his First President for the Parlement of Paris in November of 1630, and in 1636 he was appointed chancelier des ordres du roi. Le Jay rose to key offices in the early and late stages of his life with an almost 20-year hiatus in the middle. During that span his affiliation with the Conde party severely limited his chances of obtaining an appointive post, however, after a change of heart and providing support for Richelieu's policies, rewards and honors came his way and allowed his political career to soar to new heights.

The door of opportunity was not entirely closed to exceptional men of ability who were not from a well-heeled family or associated with a clique, however at best it was only slightly ajar. In his Testament politique, Richelieu stated that he looked for the qualities of intelligence, a scrupulous conscience, and probity in his appointees.<sup>38</sup> While this might have been true, a magistrate's career was helped significantly if, in addition to having a fine mind and an outstanding character, he was also wealthy, well-connected, and had a patron. For individuals with modest social credentials, the Parlement of Paris was a most attractive place for rubbing shoulders with the right sorts of people. Marriage alliances contracted with established parlementaire families provided respectability, important family relationships, and ample opportunities for making political connections. Frequent contacts and the formation of long-term friendships oftentimes paid off in benefits later with the trading of favors between fellow jurists. Since the membership roll of the Parlement was studded with representatives from leading administrative families, it was little wonder that up and coming, ambitious men sought offices on the courts in the interests of promoting their careers socially as well as politically. No other institution in France could match the role of the Parlement of



Paris in mixing persons from various levels in society.

## II

Given the magistrates' key role in the monarchy's quest to centralize its authority, in managing more carefully provincial affairs, in staffing the various households, and in filling episcopal offices in the seventeenth century, what effect did the steady drain of talented and ambitious members do to the Parlement of Paris? Taking into consideration the competitive scramble for honors and status among officeholders in general, what was there to prevent a capable jurist with visions of social betterment and higher offices from leaving the judicial institution? The answer, simply, is nothing. The increase in the number of Masters of Requests and the extensive use of Intendants in handling affairs in the name of the king added new pressures on Parlement of a political and social nature.<sup>39</sup> Many of these royal agents spent their early political careers in the Parlement. Masters of Requests grew increasingly distant from the judges on the courts of the judicial institution chiefly because they were expected to act more and more as direct representatives of the monarch, unmindful of customary traditions and the historical prerogatives of Parlement.<sup>40</sup> The fact that the Grand'Chambre suggested that Intendants ought to be drawn from within their ranks and not from the Masters of Requests is indicative of a widening breach.<sup>41</sup> Strangely enough, Parlement was cast in the role of providing judicial experience to men who later carried through royal directives to curtail its own powers.

The 205 or so members of the Parlement of Paris were not all of the same mind. The multifarious judicial and non-judicial duties they performed brought together individuals who had purchased their office for varied reasons. Research has shown that they held differing political and religious views, they came from various social backgrounds, and they had different expectations from their parlementaire office. While any attempt to classify these individuals is arbitrary, still I am proposing that based on the study of political careers and patterns of social behavior, magistrates fell into one of at least three broad, general categories:



(1) those who acquired their office primarily to qualify for higher offices (Group A); (2) those who aspired to higher offices but lacked some necessary element (Group B); and (3) the career jurists (Group C). This division is offered not as an immutable yardstick, but rather as a way to identify certain groups within the Parlement of Paris.

To most observers, the Parlement of Paris is noted more for its unity than for its disunity. There are special reasons for this image. Politically the judicial institution spoke officially as one voice through the Grand'Chambre, a court composed of 7 presidents and 36 of the most senior lay and clerical councilors. Moreover their views reflected the sentiments of career jurists and not uniformly those of the remaining 162 or so officers. Seen in one light the magistrates appear as a homogeneous lot: they had similar educational backgrounds, they served on the same courts, nearly all of them had acquired their office between the ages of twenty and thirty, and they paid roughly the same amount for their posts. Other factors, of equal significance, created distinctions: family name, political connections, wealth, tradition of service within the Parlement, and the degree of loyalty felt towards the judicial institution. Without question, career jurists were the dominating and controlling force in Parlement while other groups played less vocal, less visible roles and tended to follow their own interests, which did not necessarily correspond to those of the institution. This is not to deny a sense of parlementaire solidarity, however, the emphasis presented here stresses divisions that ran beneath the surface.

Group A magistrates, those who acquired their office primarily as a stepping-stone to higher offices, are easy to identify because they left the Parlement after a short period of service. At any one time in the late sixteenth and the first half of the seventeenth century, these men made up roughly one-fourth of the entire membership. The pattern they followed was to serve six years in the Parlement in order to qualify for the post of Master of Requests or in general to gain sufficient experience for other offices. It is not surprising, therefore, that 31% of the 540 lay councilors who purchased their post between 1590 and 1650 resigned between their 5th and 8th years of service. While this number included



men who died and who purchased other parlementaire positions, the large majority of them resigned to acquire offices outside of Parlement. Departure of Group A magistrates was the chief cause for the high turnover rate in the Parlement of Paris when compared to the more stable and institution-oriented officers in provincial parlements and in the Courts of Accounts and Aides.<sup>42</sup> On average only 46% of the magistrates in Parlement served in the same post for more than 12 years. A profile of the membership according to years of service indicates two distinct curves: one of short and the other of long term service in the judicial institution.<sup>43</sup>

Individuals resigning from the Parlement after five to eight years mostly, though not entirely, embodied all the general characteristics of Group A officers. Other magistrates associated with this group certainly resigned at earlier and later dates yet those departing after five to eight years are a more representative sample since they tended to acquire higher offices at the earliest opportunity and eagerly moved into positions that placed them a step upwards in the administrative hierarchy soon after they were legally qualified.

In some ways, Group A magistrates were similar to the remaining members of Parlement. Whether a councilor was from a parvenu or an established family counted only slightly. Table 2 demonstrates that while scions of old families left Parlement early in proportion to their total number, there was also a significant flow of men not formerly associated with the Parlement resigning and seeking higher offices. The main explanation why family name mattered little is that the post of Master of Requests was venal and many of the men coming to the courts from humble social levels had sizable personal fortunes matching or exceeding those of the established legal families. Since wealth and legal experience were the main prerequisites necessary to become a Master of Requests, political connections, family name, and marital alliances were only secondary considerations at this particular level. Regardless of background, whether staid Establishment or ambitious newcomer, Group A officers viewed service in the Parlement in the same way, namely, as a preparatory first step important for career advancement.

What careers did these 158 magistrates follow after resigning



from the Parlement of Paris? As previously mentioned, the pattern of movement had already been set by this time: 64% of them purchased the position of Master of Requests as their next office. (Eliminated from consideration were those officers who died while serving on the court.) Roughly another quarter (23%) acquired another parlementaire office, most often that of president. Eventually one-half of this number subsequently served as Masters of Requests which meant in practical terms that actually about 75% of those who departed the Parlement moved in the same direction. For the remainder, a handful became presidents in the Courts of Accounts and Aides (6%); smaller numbers became First Presidents or Presidents à mortier in provincial parlements (2%), ambassadors (3%), or officials in a Royal Household (2%). Thus only about 10% of those resigning one parlementaire office after five to eight years acquired another and remained within the judicial institution throughout their careers. The office of Master of Requests was a logical choice for aspiring royal officials seeking to gain administrative experience to complement their judicial background. The narrowly defined prerequisites limited competition for these posts to a relatively small number of judicial officers. Moreover, Richelieu's and Mazarin's favoritism towards Masters of Requests, commissioning many of them as Intendants and providing several with appointive offices, only enhanced its appeal to former judges attempting to position themselves on the most favorable path leading to higher offices.

By the very nature of the administrative system, Group A magistrates had to serve in a succession of offices in the process of rising in status and influence. Competition for offices from the Parlement of Paris to the top became increasingly keen as institutions gave way to individual offices. Thus mobility in levels beyond venal offices was restricted because positions were few in number and exclusive in their selection. Not every magistrate, Group A or otherwise, attained the level in government he desired. Yet movement in offices set Group A judges apart from the others principally because they saw their career destiny in higher posts. Individuals who resigned their parlementaire offices after five to eight years were the most active group in terms of



changing posts when compared to the rest of the membership. Considering these officials as a unit and using their parlementaire office as a base: 26% changed offices once, 35% twice, 17% three times, with a smaller percentage for those who switched even more frequently. For all other magistrates who did not resign or die after five to eight years of service, 43% retained their parlementaire office throughout their entire careers, 33% changed once, 15% twice, and only 5% three times. Also Group A magistrates tended to move outside of the judicial institution while the others were more likely to shift positions within the Parlement. As will be demonstrated, there is a direct connection between the frequency of office changes and successful careers. Group A were active in moving in and out of positions and they will also hold, in greater numbers, the leading offices of state.

Can it be demonstrated that magistrates who were mere time-servers on the courts of the Parlement of Paris actually achieved higher political offices? The answer is yes. Group A officials outperformed their parlementaire cohorts in acquiring coveted appointive posts. A side-by-side percentage comparison of magistrates' careers, of those who resigned between their fifth and eighth years (including those who died in office) versus the rest of the magistrates, shows that individuals leaving the Parlement had a much better chance of becoming leading officers of state than those who remained in the Paris Parlement for longer periods of time. <sup>(SEE TABLE 3)</sup> Almost one-tenth of those resigning during this four-year period went on to become key officials of the king. Whether they achieved the position of Superintendent of Finances, Ambassador, or First President in a provincial parlement, it is clear that the road to advancement generally required a stint in the Parlement of Paris, the acquisition of the post of Master of Requests, and then the final movement, which we have already said occurred for a variety of reasons, into appointive offices. Prolonged service in the judicial institution was detrimental to a political career because not only did the individual forge a greater identity with the Parlement but also because kings tended to draw their officials from the talent pool of Masters of Requests and considerably less frequently from the ranks of career jurists.



Men who were the time-servers on the courts of the Parlement of Paris had little incentive to take their judicial responsibilities seriously. Ambitious and wealthy families pushed their sons through the proper schools and into officialdom, regardless of motivation, intelligence, or ability. These youthful men came to the courts of Inquests directly from law school inheriting important judicial offices in their early twenties but devoid of any significant legal experience. Many of these budding jurists were unmindful of the seriousness of their duties and acted in a brazen manner. After acquiring an office with lifetime security, they were notorious for pursuing the worldly pleasures of wine, women, and song.<sup>44</sup> La Bruyere railed them for their "vanité, ... mollesse, ... intempérance, et... libertinage."<sup>45</sup> Among Group A magistrates a distinction must be made between the political and private actions of these youthful judges. Those who knew they were destined to leave the Parlement after a brief stint were unlikely candidates to lead opposition groups against the monarchy, to champion the rights of the Parlement, or for that matter to play any activist role whatsoever. Officers hoping to receive appointive posts might significantly hurt their future career opportunities because French monarchs passed over those with whom they had crossed swords and instead chose men whose loyalty to the sovereign was unquestioned. Greater liberties were permitted in a judge's personal life. In short, young magistrates desiring appointive offices could explain away an undistinguished commitment to the Parlement and raucous personal behavior as the folly of youth, however the lines of proper political behavior for Group A magistrates were clearly drawn.

Group C officers, on the other hand, followed noticeably different patterns in their careers. They spent the bulk of their life on the courts of the Parlement and in service to royal justice; they were the lifers who shaped the mentality of the Parlement and directed its course and for whom justice and politics were indistinguishable. Constituting approximately one-half of the entire membership, they dominated the judicial institution through their control over presidencies and the Grand'Chambre. While starting at the same level with Group A magistrates, their future was not in higher administrative offices but rather in the Parlement which



invested its leadership and its most potent political and legal powers into the hands of those who served the longest. Predictably, their image of what role the Parlement of Paris should have in the royal administration set them apart from other groups. In encounters with the monarchy on this issue during the first half of the 17th century, Group C magistrates were most avid in their support of the judicial institution and most reluctant to budge or make concessions that had the effect of reducing Parlement's political rights and authority.

Career jurists were drawn from varied social and economic backgrounds. However certain types of officers, who collectively make up the majority of Group C magistrates, can be identified. Foremost among them were clerical judges. These officers had limited opportunities for religious advancement (their main options were in the episcopacy or abbacy) and significantly fewer in political offices. The position of conseiller-clerc cost about 15% to 20% less than that of conseiller-lai in the Parlement of Paris. Families, in particular those aggressively attempting to make a name for themselves, consciously opted for lay offices for practical reasons. The family scion was expected to marry and use the parlementaire office as a foundation in building a career. The position itself was an important element in arranging an advantageous marital alliance. In addition, it was considered more desirable to transmit an office with<sup>in</sup> the nuclear family from father to son than it was from uncle to nephew. A handful of clerical judges were former lay parlementaires, widowers with a grown family and who wanted to spend their remaining years as clerics.<sup>46</sup> But by and large clerical offices in the Parlement of Paris were acquired for younger sons of wealthy and influential families. These posts were ideally suited for them: the purchase price was comparatively low, the office was eminently respectable, and additional financial support from the family was not necessary. The fact that slightly less than one-half of all conseillers-clercs (47.7%) between 1590 and 1650 had at least one brother also serving in the Parlement gives an indication as to who purchased these offices and for what reasons.

Given their limited range of options, clerical judges normally



served their entire careers in Parlement; their average length of service in the first half of the 17th century was slightly over 23 years, a number that is by far higher than for all other grades of parlementaire officers. If clerical judges had few opportunities for social and political betterment, they did exercise a disproportionate influence within Parlement. The edict of November 1683 stipulated that the Grand'Chambre would be composed of 25 lay councilors and 12 clerical judges.<sup>47</sup> Admittedly some individuals were earmarked for episcopal sees because of their family connections, however, most other clerical judges put in long years of service and in the process became linked with the Parlement and helped shape its policies. Guy de Thelis, a vocal critic of Cardinal Richelieu who was removed from Parlement for his political activism, was not an isolated case of militancy on the part of clerical magistrates.<sup>48</sup> With prospects of higher offices denied them, many clerical councilors developed into staunch supporters of the judicial institution who had little concern about jeopardizing their future careers by opposing the policies of the monarchy.

In addition to clerical magistrates, Group C was composed of a large number of legalists from families with a tradition of service in the Parlement of Paris. There was a decided tendency for these families to pass on their parlementaire office from one generation to the next. For example, the histories of the Doujat and Courtin families illustrate the typical career patterns of career jurists. Jean Doujat became a councilor in 1617 and remained in this capacity until he died in 1663, a term of service stretching over 46 years. His son, Jean II, was provided with the post of councilor in 1647 in which capacity he served until 1695, dying <sup>IN 1710</sup> after <sup>SERVING</sup> 48 years on the courts.<sup>49</sup> Four generations of the Courtin family, (1) Guillaume, (2) Jean, (3) François and Nicolas, and (4) Jean, held the position of councilor from 1543 until 1670--three of them rose to the Grand'Chambre and one lived long enough to become doyen of the Parlement.<sup>50</sup> These were not individuals acquiring parlementaire offices as a prerequisite for higher offices. They were representatives of the legal profession who came to the courts with no higher ambition than to serve the cause of law in the Parlement. Such men were the backbone of the judicial institution



providing continuity and stability on the courts. They were the judges whose work did much to sustain the reputation of the Parlement and the quality of royal justice.

The ranks of the last major component of Group C magistrates were filled by certain first-generation parlementaires whose arrival on the courts marked a milestone in their families' fortunes and whose identity became intimately linked with the judicial institution. Not all first-generation magistrates fit into this mold. However it does apply to those men who rose quickly through the political and social hierarchy into positions where, via the seniority system, they possessed the ability to challenge and even in some cases thwart royal policies. This proved a heady experience for men of wealth with modest social origins who used their parlementaire offices as the badge of their arrival. In protecting the privileges of the Parlement, they acted more Catholic than the Pope; some became the institution's most vocal champions. For example, Pierre Broussel, one of the central figures in the parlementaire Fronde, was a first-generation officer, the son of a lawyer, who acquired his office in 1602, rose to the Grand'Chambre after several years of service and eventually died in 1654 as sous-doyen.<sup>51</sup> During his long and controversial career Broussel embodied the parvenu spirit as noted in his militancy, his willingness to speak out, and his determination to defend Parlement against encroachments.<sup>52</sup> Broussel was not a lone figure, other vocal parlementaire radicals of the Fronde, such as Antoine Fouquet de Croissy (son of a secrétaire du roi), Jean Laisne (grandson of an affineur of Paris), and Jacques Le Meusnier (son of the mayor of Angouleme) were some of the other magistrates who exhibited signs of this same mentality.<sup>53</sup> Considered together, these individuals and those like them were burgeoning career jurists destined to become the hardcore professional magistrates of the Parlement.

Group C magistrates controlled the Paris Parlement by monopolizing the presidential offices and the seats on the Grand'Chambre, the two leading elements in the institution. They encountered only feeble challenges to their mastery over the levers of judicial power because Group A magistrates abandoned the field as a result of resigning from the courts. Thus career jurists and



the fresh blood entering Parlement encountered few barriers in acquiring presidential offices and, with the Grand'Chambre, determined the legal and political policies of the institution. Established parlementaire families did not control the reigns of power; one of the most remarkable features found in the social histories of presidents is the absence of an inner hierarchy of old line families in leading offices. Over the years 1590 to 1650, the majority of Presidents of Inquests and Requests (53%) came from families new to the Parlement (see Table 4). Even the prestigious post of President à mortier was dominated by relative newcomers; 64% were either the first of their family to sit in Parlement or the sons of parlementaires. Apparently the fact that these presidential offices were venal obliterated distinctions of family background, leaving these expensive offices open primarily to men committed to the judicial institution.

The access to presidential offices was in part facilitated by the constant drain of Group A magistrates into the royal administration who, given the choice, preferred purchasing the post of Master of Requests which sold for roughly the same amount. Moreover Group A judges had further reasons for shying away from these offices because presidents were commonly assumed to be men of the Parlement and not men of the king, a stereotype image that contained more than a grain of truth. After the death of Achille de Harlay in 1611, the First President of the Parlement of Paris and an appointive officer, Marie de Medici bypassed all of the leading Parisian magistrates and chose instead Nicolas de Verdun, the First President of the Parlement of Toulouse, as his replacement because he appeared more malleable and loyal than did the more logical choices within the judicial institution. In 1650 when René Longueil de Maisons, an exceptionally capable magistrate, was considered for the post of surintendant, it was objected that as a president in the Parlement of Paris, he would be "un espion dans le conseil d'en haut ... qui scauroit le fonds du secret pour s'en servir un jour contre le Roy à l'avantage du Parlement."<sup>54</sup> Such examples indicate a delicate working relationship. Since Parlement and French kings frequently found themselves on opposite sides on important issues in the first half of the seventeenth century, it is not surprising



that the monarch and his leading advisors regarded the leaders of the Parlement with suspicion.

Group C control over the presidencies also extended to the positions of councilor in the Grand'Chambre. Places were allotted according to seniority which permitted long-serving parlementaires with shallow judicial roots to obtain important political offices in Parlement. Between 1590 and 1650, men from families new to the courts held a majority of all posts (54%) and 41% of them kept the same parlementaire office for over twenty years. The twenty-year mark of service was an important consideration for parvenu magistrates. Throughout much of the seventeenth century, judges only acquired noble status as a result of two successive generations serving in their parlementaire post for at least twenty years or dying while in office.<sup>55</sup> Even though officers did not lose their years of service by leaving Parlement and acquiring an office operating under the same rules for noble status (i.e. Masters of Requests), most first-generation magistrates remained in their offices consolidating their position and eventually inheriting weighty political responsibilities on the Grand'Chambre. The end result was that leadership in the Parlement of Paris, as reflected in the presidents and members on the Grand'Chambre, was provided by career jurists, many of whom had come from families with a non-judicial background and who represented the less established, less politically experienced, new blood of the judicial institution.

To the consternation of seventeenth-century kings, legalists viewed law as the ultimate source of governmental authority, a product of a mentality that characterized justice as the primary function of the monarchy.<sup>56</sup> At a time when French sovereigns were redefining and widening the extent of their powers and reorganizing government to suit their purposes, Group C magistrates stood out conspicuously for their conservatism by advocating a return to a time when tradition, custom, and legal precedent were faithfully observed. Such thinking set them apart from Group A magistrates who readily compromised any personal conviction they may have had for the sake of career advancement and their desire to serve the king. Insistence on using past values as the measure for the present and future placed legalists in unpopular and oftentimes controversial



positions. As late as the 1660's under Louis XIV, members of the Parlement of Paris, arguing from history, vigorously asserted their right to precedence over bishops (successfully) and the French peerage (unsuccessfully) in seeking official recognition of what they conceived as their social and political superiority.<sup>57</sup> Although most of these magistrates could not look back upon an illustrious family background to match that of the peers, the legitimacy of their claims to lofty social and political status was in their eyes fully justified as a result of holding parlementaire offices. Parlement played a unique role as the protector of the law and, on a wider scale, as a watchful guardian over the legal foundation upon which the state rested. Such visions, however, did not correspond to political reality as Group C magistrates before, during, and after the Fronde demonstrated a dogged determination in clinging to the traditions and customs of the Parlement as the touchstone for their social position and political authority. Seen from another perspective, career jurists unwilling to follow the career patterns of Group A magistrates had few alternatives apart from forming a close bond with the judicial institution.

Much is already known about the progressively deteriorating relationship between Group C magistrates controlling Parlement and the monarchy during the first half of the seventeenth century. The combined blows of financial pressures, reorganizational changes, and direct efforts to reduce Parlement's influence placed career jurists on the defensive, at least until the time of the Fronde. Throughout this period of unsettled conditions, distinctions between Group C magistrates and former judges who left the judicial institution for higher offices can be seen in sharp focus. Intendants were in particular resented by parlementaires, a sentiment frequently voiced, because they represented a competing source of justice and political power. Parlement jealously coveted oversight of their operations. At the Assembly of Notables in 1626-27, presidents of Parlements went so far as to propose that Intendants should not be drawn from the ranks of Masters of Requests but rather they should be elected from the membership of the Parlements, a step that if realized would have insured their going to career jurists.<sup>58</sup> Despite the official stance of the Parlement of Paris



against the various activities carried out by Intendants under royal supervision, the judicial institution was still the place where, without any interruptions, the majority of Masters of Requests and commissioned Intendants were recruited. Obviously members of the Parlement of Paris were not of one mind if its leadership was unable to stem the flow of magistrates leaving the courts and joining those royal officials whose work helped French monarchs to undermine the political and judicial authority of Parlement.

If Group A and C magistrates represent contrasts of black and white, then Group B judges were men of gray, those who combined elements from both sides. Evidence on this group is only circumstantial because there are few obvious differences that set them apart from the others. From external appearances they seemed indistinguishable from career jurists since they tended to change offices irregularly and followed no distinct pattern in how long they served in offices. Included among Group B judges were men who aspired to higher posts yet for very practical reasons were unable to acquire them. The lack of money, proper marital connections, or well-placed patrons were retarding factors preventing them from obtaining higher positions. Families in a state of transition were also included within their ranks. It was not uncommon for fathers to be dedicated career jurists (Group C) and have sons who had different career objectives that stretched beyond Parlement. While the quality of information on Group B magistrates is sketchy at best, they made up the approximate remaining 25% of the entire membership who held a middling place between the other two groups. If for no other reason, Group B magistrates had to exist because it is difficult to conceive that an institution with a corps of judges as diverse as the Parlement of Paris could contain only two starkly contrasting groups.

Perhaps the most revealing way to establish the identity of Group B magistrates is from a distance, that is, through their family histories over several generations. All of the families studied acquired offices in the Parlement of Paris but the way they attained this level and the patterns followed by succeeding generations aids in distinguishing the various groups. In general,



Group A magistrates tended to come from established parlementaire families with a record of previous service in high administrative posts and from families that showed very rapid advancement. Career jurists (Group C) drew the bulk of their members from families with multi-generational service who remained in the judicial institution and from recent arrivals to the courts whose sons and grandsons also remained in the Parlement. On the other hand, Group B families pursued gradual and progressively higher levels whereby one generation followed a course of action that permitted the next generation to take an upward step in offices and status. Over the course of four or five generations the family fortunes improved slowly and steadily, moving as far as wealth, talent, and opportunities permitted to the point where they eventually developed into the established parlementaires belonging to Group A.

The history of the Verthamont family can stand as a common example in the evolution of a Group B family into Group A. Jean Verthamont (I) began the climb as a rich merchant, bourgeois of Limoges.<sup>59</sup> His son, François (II) was provided with a legal education; he served as advocate to the courts, became a councilor in the Parlement of Paris on 17 August 1588 where he spent the remainder of his career, rising to the Grand'Chambre. The scion of the next generation, François (III), began his career as a councilor in the Parlement of Paris (17 August 1618), purchased the office of Master of Requests on 29 May 1626, and was later commissioned Intendant for the city of La Rochelle and for the French army in Italy and Guyenne. François' son, Michel (IV), Marquis de Manoeuvres, married Marie d'Aligre, the daughter of Etienne, Louis XIV's Director of Finance, Guard of the Seals, and Chancellor, however tragedy struck when his promising career ended abruptly with his death at the age of 33 years. He too had been a councilor in the Paris Parlement at the tender age of 19, five years later a Master of Requests (18 July 1651). The arrival of the Verthamonts into the high administration was achieved by François-Michel (V), councilor in the Parlement of Paris (19 January 1674), Master of Requests (1 June 1677), and then appointed by Louis XIV to the important offices of First President of the Grand Conseil



(24 February 1697) and later as Commandeur des ordres du roi.

The Verthamonts took five generations and over a century to move from provincial bourgeois status to becoming leading appointive officers of the king. The process might have been accomplished in four generations barring the premature death of Michel (IV), but such events occurred frequently in early modern Europe and affected high and low born with equal devastation. François (II), the first member of the family to serve in the Parlement of Paris, spent his entire career as a magistrate yet he merits classification in Group B and not in Group C. The later achievements of his offspring and especially his control over the patrimony indicate an early ambition for higher offices. François (II) was the head of a large brood, nine children reached maturity (4 males and 5 females). Family policy, as directed by the head of household, was aimed at dividing the patrimony as little as possible so as to give the eldest son the lion's share of the family's wealth and thus the best opportunity to acquire higher offices and status.<sup>60</sup> Of his nine children, François (III) was the scion while the other three became priests. One of the younger sons, Antoine(III), was provided with the office of clerical councilor in the Parlement of Paris at the age of 31 (1634) where he served until he died in October of 1663. Three of the five daughters became nuns, the remaining two were provided with dowries and married into up-and-coming parlementaire families (Voisin and Le Fèvre d'Eaubonne). François' (II) management over his household provided his eldest son with the material means to improve upon his career achievements, however, improvement came at the expense of the careers of younger sons and daughters.

The next two generations in the Verthamonts' family history, François (III) and Michel (IV), demonstrate the steady development into Group A. Both served in the Parlement of Paris just long enough to qualify for the posts of Master of Requests, François (III) later received commissions as Intendant. At this stage the main branch of the Verthamont family expected to hold offices above the Parlement of Paris and only served in the judicial institution as a required prerequisite. Along with gradual improvement in offices, a corresponding rise in the quality of marital alliances can also



be noted. François (III) married Marie Boucher, Dame de Vernay and Vingay, the daughter of Pierre, a representative of an established family with several generations of service in the Parlement of Paris (Group C).<sup>61</sup> As previously mentioned, Michel (IV) married in 1655 a daughter of Etienne d'Aligre, at that moment in his career Superintendent of Finances for Cardinal Mazarin, but who was later appointed Chancellor.<sup>62</sup> François-Michel (V) wed by contract (7 November 1678) Marie-Anne-Françoise Bignon, the filie unique of Thierry, the First President of the Grand Conseil and whom François-Michel replaced in this appointive office.<sup>63</sup> Thus the evolution had run its course; the network of marriage alliances and connections with highly placed officials (François-Michel (V) was the grandson of the Chancellor), along with better political offices combined to eventually assure the Verthamonts' rise into the ranks of select families whose name became associated with high administrative positions.

While the use of family histories is a good way to identify Group B officers in the Parlement of Paris, the method suffers from obvious limitations. Even though parlementaire families tended to be large, sometimes magistrates had no surviving offspring or only daughters. Only a few followed the example of Pierre Jeannin, the Controller-General and Superintendent of Finances under Marie de Medici, of marrying his only daughter into a cadet line of a parlementaire family and having the male line adopt his name. Charlotte (Cathérine) Jeannin, the daughter, married Pierre Castille with the stipulation in the marriage contract that Pierre Jeannin would give all of his wealth to the eldest son of this marriage on the condition that his name be Jeannin-de-Castille.<sup>64</sup> Charlotte (Cathérine) and Pierre had eight children reach adulthood; Nicolas, the eldest, indeed carried the name of his maternal grandfather.<sup>65</sup> Nicolas Jeannin-de-Castille served as a councilor in the Parlement of Paris (1 February 1634), a Master of Requests, Treasurer of the Epargne, and as secrétaire et greffier des ordres du roi, a career certainly aided by wealth and influence. However few other families in a similar situation went to such lengths to preserve their family name.



## III

From the standpoint of personnel, the Parlement of Paris was a changed institution especially after 1550. While Parlement's legal and political role was a public issue and the subject of much debate in the 16th and 17th centuries, its membership underwent a less heralded metamorphosis that had a profound impact on the institution's character and reputation. Its size was expanded in order to accommodate a large number of parvenus who were provided with the opportunity, through venality of offices, to leapfrog from the bourgeoisie and lower offices up to the highest court in France in a single bound. Once the breach was made, the flow of new blood into the courts of the Parlement continued unabated in the 17th century. Many of these new magistrates played an immediate role in parlementaire affairs as they soon acquired offices of presidents and rose to the Grand'Chambre, the two sources of leadership in the judicial institution. A composite profile of Parlement's membership in the early 17th century reflects the degree of change stemming from venality and office creations; the majority of councilors and presidents tended to be younger, from families previously unaffiliated with Parlement, and they possessed only limited experience in high court politics and justice.

The Parlement of Paris was also attracting a different group of individuals. Beginning with the reign of Henry IV, French kings started instituting administrative reforms designed to enhance sovereign authority and, correspondingly, reduce the influence of officers and institutions with claims of inviolable or traditional powers limiting the monarchy. Absolutism did not include an expanded role for the Parlement of Paris, however, it did provide greater opportunities for individual judges since French rulers increased their dependency on magistrates to staff offices and to carry out their policies. The number of royal agents, in the persons of Masters of Requests and Intendants, increased in number and influence. Most of them had earlier served on the courts of the Parlement. Certainly some individuals were drawn to the judicial institution for careers as judges but others joined primarily to qualify for higher offices. For instance, prior to 1598 no



prerequisites existed for the office of Master of Requests. However changes stipulated at least six years of service in judicial office, those in the Paris Parlement being the most popular, primarily because of their large number and status. Parlement's function as an incubator and training school for high administrative officers became more or less formalized as ambitious men, eager to bask in the favor bestowed upon Masters of Requests and Intendants by Cardinals Richelieu and Mazarin, were required to first serve a legal apprenticeship before advancing. The presence of these time-servers added a diverse element to the courts, nevertheless they were not nor should they be considered as loyal magistrates of the Parlement.

Introducing new talent and attracting men essentially uninterested in making long-term commitments to Parlement produced its share of benefits and problems. From one perspective, it compounded the weaknesses of Parlement and inhibited its internal and external effectiveness. There was a much larger turnover in Parisian offices than in the provincial parlements. Its membership contained a sizable minority of magistrates who either would or wished to resign their parlementaire offices in order to climb higher up the ladder of administrative positions. This minority was not fully attuned to the leadership of the Grand'Chambre and its presidents and they showed less concern for judicial careers in Parlement; factors that lessened the esprit de corps and promoted the growth of factions.<sup>66</sup> Reactions to events, like the bold steps taken by career jurists during the parlementaire Fronde, restored a temporary sense of unity, but in the long run differing political and social aspirations divided the magistrates into three, if not more, distinct groups sometimes working for common goals but other times pursuing their own self-interests. As an institution in the 17th century, Parlement came under increasing pressure to relinquish its claims to a political voice in affairs of state, while at the same time, the French monarchy siphoned off some of the institution's more talented and capable officers into royal service, who if they had stayed in Parlement, might have been instrumental in defending the privileges and prestige of the judicial institution. Thus given the variety of magistrates and their motives for buying these offices,



it is perhaps time to begin thinking in terms of parlementaire mentalities in light of the legal and administrative history of France in the 16th and 17th centuries.